



# Town of Lancaster

## TOWN PLANNING BOARD

21 Central Avenue  
LANCASTER, NEW YORK 14086

February 1, 2012

Planning Board Members:

Stanley J. Keysa, Chairman  
Rebecca Anderson  
Neil Connelly  
Lawrence Korzeniewski  
Kristin McCracken  
Steven Socha  
Melvin Szymanski

Town Board Members:

Dino J. Fudoli  
John M. Abraham, Jr.  
Mark Aquino  
Ronald Ruffino, Sr.  
Donna G. Stempniak

Engineering Consultant:

Robert Harris, Wm. Schutt & Associates

Town Attorney:

John M. Dudziak

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held February 1, 2012. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa  
Planning Board Chairman

SJK:mn  
Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the first day of February 2012, at 7:30 P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman  
Rebecca Anderson, Member  
Neil Connelly, Member  
Lawrence Korzeniewski, Member  
Kristin McCracken, Member  
Steven Socha, Member  
Melvin Szymanski, Member

EXCUSED: None

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna Stempniak

Other Elected Officials: None

Town Staff: Robert Harris, Engineering Consultant-Wm. Schutt & Assoc.  
Jeffrey Simme, Town Building Inspector  
Nicholas LoCicero, Town Prosecutor  
Mary Nowak, Recording Secretary

Meeting called to order by Chair Keysa at 7:32 P.M.

Pledge of Allegiance led by Town Engineer Robert Harris.

Minutes - Motion was made by Lawrence Korzeniewski to approve the minutes from the January 4, 2012 Planning Board meeting. Motion seconded by Kristin McCracken and unanimously carried.

Administrative Items – Council Member Donna Stempniak told the Planning Board that the Town Board will be working on enacting the Right To Farm Law in the Town of Lancaster.

**Communications received by January 18<sup>th</sup> 2012  
for the Town of Lancaster Planning Board**

- 1-18-01      Memo dated January 4<sup>th</sup> 2012 from Town Attorney John Dudziak announcing meeting of Municipal Review Committee meeting on January 17<sup>th</sup> 2012 to review SEQR compliance of phase 1 plan for Hidden Pines subdivision.
- 1-18-02      Copies of Town Board resolutions adopted January 3<sup>rd</sup> 2012 which included appointment of Stanley Jay Keysa as Planning Board Chair for 2012, appointment of Melvin H. Szymanski as PB member through December 31<sup>st</sup> 2018, Mary Nowak as Secretary PT to PB for 2012, and authorizing PB Chair and one PB member (to be designated by the Town Board) to attend NYS Association of Towns Training School and Annual Meeting.
- 1-18-03      Abstract of Planning Board expense ledger as of December 31<sup>st</sup> 2011 from Supervisor's Office showing overall surplus of \$1292.18 (4.4%).
- 1-18-04      E-mailed newsletter of Citizens for Rapid Transit
- 1-18-05      Minutes of Zoning Board of Appeals meeting held January 12<sup>th</sup> 2012 at which the ZBA considered petition of Michael Clement, on behalf of M&B Flick, LLC for sign variances at 4901 William Street (withdrawn).

**Communications received by February 1<sup>st</sup> 2012  
for the Town of Lancaster Planning Board**

- 2-1-01      Form notice of Erie County Farmland Protection Plan meetings to be held January 12<sup>th</sup> 2012 at Newstead TH and January 24<sup>th</sup> at Concord TH.
- 2-1-02      Minutes of special Town Board meeting held January 17<sup>th</sup> 2012 at which the Municipal Review Committee conducted a SEQR review of phase 1 of the proposed Hidden Pines Subdivision, consisting of 14 single family lots (formerly reviewed as 720 Aurora Street) (negative declaration issued).
- 2-1-03      Emailed notice dated February 18<sup>th</sup> 2012 of GBNRTC-PCC meeting scheduled for February 1, 2012.

- 2-1-04 Memo dated January 20<sup>th</sup> 2012 from Town Clerk Johanna Coleman reminding various town officials (including all PB members) of need to file Code of Ethics Disclosure Statement not later than March 1, 2012.
- 2-1-05 Winter 2011 Legislative Report received January 23<sup>rd</sup> 2012 from NYS Assembly Committee on Environmental Conservation.
- 2-1-06 Email dated January 27<sup>th</sup> 2012 from Town Attorney's office with copies of Town of Lancaster Planning Board Notices of Public Hearings to be held February 1<sup>st</sup> 2012 regarding "Hidden Pines Phase 1 Subdivision" and "Severyn Subdivision."
- 2-1-07 E-mailed report dated January 30<sup>th</sup> 2012 from CBRE/Buffalo showing better-than-expected market for commercial office spaces, stabilized multi-family residential, but slightly higher vacancies in retail and industrial sectors.
- 2-1-08 E-mail from Dan King of Thill-Demerly noting involvement in looking at flood mapping in and offering link for PB members to that agency's Flood Help website: <http://www.thilldemerly.com/FloodMapErieCounty.htm>.
- 2-1-9 Form notice of 4 hour Smart Growth Program sponsored by Erie Institute of Law & others to be held February 29<sup>th</sup> 2012 from 8:30 am to 1 pm at Georgian Room of Statler City; price for lawyers \$80; price for non-attorneys \$40.
- 2-1-10 E-mailed newsletter of Partners for a Livable Western New York dated 2/1/12.

**TOWN OF LANCASTER PLANNING BOARD  
NOTICE OF PUBLIC HEARING**

**LEGAL NOTICE IS HEREBY GIVEN** that in accordance with Section 276 of the New York Town Law, the **Planning Board** of the Town of Lancaster will hold a public hearing at the Town Hall, 21 Central Avenue, Lancaster, New York 14086 on February 1, 2012 at 7:45 p.m., to hear all interested parties regarding an application for preliminary plat approval for the proposed "Hidden Pines Phase 1 Subdivision" (formerly "720 Aurora Street Subdivision"), consisting of 14 lots on 7.18 acres, located on the East side of Aurora Street across from Running Brook Drive. in the Town of Lancaster. Further information, including access to a copy of the proposed preliminary plat, may be obtained at the Town of Lancaster Town Clerk's office, 21 Central Avenue, Lancaster, New York 14086.

PLANNING BOARD OF THE TOWN OF LANCASTER  
By: Stanley J. Keysa, Chairman

**PUBLIC HEARING SCHEDULED FOR 7:45 P.M**

At 7:45 P.M. the Planning Board held a Public Hearing to hear all interested persons upon an application for preliminary plat plan approval for the proposed "Hidden Pines Phase I Subdivision" (formerly "720 Aurora Street Subdivision") consisting of 14 lots on 7.18 acres, located on the East side of Aurora Street across from Running Brook Drive, in the Town of Lancaster.

**NAME OF PERSONS ADDRESSING  
THE PLANNING BOARD ON THIS SUBJECT**

**Proponent/  
Opponent/  
Comments/Questions**

Kenneth Zollitsch (Representing developer)

Proponent

Ricky Scott

Question about traffic flow  
from this project, answered by Chair.

Question about effects on Pinetree  
Lane sewers by this project,  
answered by Chair.

ON MOTION BY PLANNING BOARD MEMBER NEIL CONNELLY, SECONDED BY PLANNING BOARD MEMBER SZYMANSKI AND CARRIED, the public hearing was closed at 8:51 P.M.

February 1, 2012

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NOTICE OF PUBLIC HEARING**

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**PLANNING BOARD OF THE TOWN OF LANCASTER**

By: Stanley J. Keysa, Chairman

**PUBLIC HEARING SCHEDULED FOR 7:45 P.M**

At 7:51 P.M. the Planning Board held a Public Hearing to hear all interested persons upon an application for preliminary plat plan approval for the proposed "Severyn Subdivision", consisting of 4 lots on 1.257 acres, located on St. Anthony Street in the Town of Lancaster.

**NAME OF PERSONS ADDRESSING  
THE PLANNING BOARD ON THIS SUBJECT**

**Proponent/  
Opponent/  
Comments/Questions**

John Schenne (Representing petitioner)

Proponent

William Severyn (Petitioner)

Proponent

William Severyn, Jr.

Proponent

ON MOTION BY PLANNING BOARD MEMBER LAWRENCE KORZENIEWSKI, SECONDED BY PLANNING BOARD MEMBER STEVEN SOCHA AND CARRIED, the public hearing was closed at 7:55 P.M.

February 1, 2012

## ACTION ITEMS –

HIDDEN PINES SUBDIVISION PHASE I – 14 SINGLE-FAMILY DWELLING LOTS LOCATED ON THE EAST SIDE OF AURORA STREET ACROSS FROM RUNNING BROOK DRIVE IN THE TOWN OF LANCASTER. PROJECT NO. 2992

Mr. Kenneth Zollitsch of Greenman Pedersen presented to the Planning Board the preliminary plat plan for the 14 single-family dwelling lot subdivision located on the east side of Aurora Street across from Running Brook Drive. The entrance to Phase I of this project will be located off the stub street located on Americo Court. Mr. Zollitsch stated that the water pressure for this project is very good. He also told the Planning Board that the stormwater runoff from this project will drain to the central pond shown on the plan which will then drain to the north branch of Slate Bottom Creek. Mr. Zollitsch said that the developer intends to build Phase II sometime in the future. Phase II will be a 15 single-family dwelling project located to the south of Phase I. The entrance for Phase II will be located on Pinetree Lane. Sewers: Mr. Zollitsch stated that he has received verbal approval from Erie County Dept. of Environment & Planning Division of Sewerage regarding the sewers for Phase I. He is waiting for their letter of approval.

## DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Kristin McCracken to recommend approval of the preliminary plat plan to the Town Board with the following conditions: 1.) Street names to be approved by the Chief of Police and shown on the plans. 2.) Turnaround details to be shown on plans. 3.) Issuance of building permits upon approval by Erie County Dept. of Environment & Planning Division of Sewerage. Motion seconded by Lawrence Korzeniewski and unanimously carried. Roll call vote as follows:

Chair Keysa - Yes

Rebecca Anderson - Yes

Neil Connelly - Yes

Lawrence Korzeniewski - Yes

Kristin McCracken - Yes

Steven Socha – Yes

Melvin Szymanski - Yes

SEVERYN SUBDIVISION - 4 SINGLE-FAMILY DWELLING LOTS LOCATED ON ST. ANTHONY STREET IN THE TOWN OF LANCASTER. PROJECT NO. 3827.

John Schenne of Schenne & Associates and William Severyn presented to the Planning Board the updated preliminary plat plan for Severyn Subdivision located on St. Anthony Street. Mr. Schenne stated that the plan now shows that the homes have been moved closer to the street so as not to be impacted by the swales at the rear of the lots. He also stated that the front setbacks now line up with the existing homes, and that all other setbacks exceed the minimum requirements.

Detention basins – The plan shows a 2-ft. dip in each backyard. Mr. Schenne stated that in addition to a deed restriction, the survey for each parcel will also show a restriction stating that the swale area in each backyard cannot be altered in any way or filled in. The Planning Board suggested that Mr. Schenne develop language for the deed and survey restrictions and provide it to the Town Attorney and Town Engineer for approval. Mr. Schenne also told the Planning Board that as per the Erie County Clerk's Office, New York State does not require a mapcover filing for a subdivision smaller than five lots.

Engineering – Town Engineer Robert Harris stated that he will reserve any comments until he has reviewed the updated plans.

Noise Abatement – Chair Keysa asked Town Building Inspector Jeffrey Simme if there was any way to require the builder of these homes to provide some type of noise abatement due to the proximity of these homes to the existing railroad crossing on Erie Street near Steinfeldt Road. Building Inspector Jeffrey Simme stated that he can make this recommendation to the builder concerning noise abatement, but since there is nothing in the Town Code that requires it he cannot mandate it.

#### DETERMINATION

Based on the information provided to the Planning Board, a motion was made by Steven Socha to recommend approval of the preliminary plat plan to the Town Board with the following conditions: 1.) Deed restriction required for each lot regarding swales in backyard. 2.) Drainage plan subject to approval by Town Engineer. Motion seconded by Melvin Szymanski and unanimously carried. Roll call vote as follows:

Chair Keysa - Yes	Kristin McCracken - Yes
Rebecca Anderson - Yes	Steven Socha – Yes
Neil Connelly - Yes	Melvin Szymanski - Yes
Lawrence Korzeniewski - Yes	

#### OTHER MATTERS –

Public Hearing Procedures - Chair Keysa stated that the steps in the current SEQR process need to be addressed; specifically, the order of the placement of the public hearing, time limitation for speaking, and the use of summary minutes and not verbatim minutes. Chair Keysa asked Deputy Town Attorney Nicholas LoCicero to prepare the paperwork stating the steps in the SEQR process and to address the public hearing process.

Planning Board Member Steven Socha informed Chair Keysa that he will be unable to attend the next Planning Board meeting. He will be out of town.

At 8:20PM Rebecca Anderson made a motion to adjourn the meeting. Motion seconded by Lawrence Korzeniewski and unanimously carried.